



Via electronic mail

landconveyanceEA@rl.doe.gov

October 19, 2012

Ms. Paula Call
NEPA Document Manager
US Department of Energy
Richland Operations Office
PO Box 550, MSIN A2-15
Richland, WA 99352

Re: Scoping Comments on the Department of Energy's Notice of Intent to Prepare an Environmental Assessment (EA) for the Proposed Conveyance of Land at the Hanford Site, Richland, WA and Notice of Potential Floodplain and Wetland Involvement.

Dear Ms. Call,

I am writing on behalf of Hanford Challenge to provide comments on the Department of Energy's Notice of Intent to Prepare an Environmental Assessment (EA) for the Proposed Conveyance of Land at the Hanford Site, Richland, WA and Notice of Potential Floodplain and Wetland Involvement. Hanford Challenge is a nonprofit organization working to ensure a safe and effective cleanup of the Hanford Nuclear site. We provide legal support for workers and whistleblowers at Hanford and work to engage the public and stakeholders on important Hanford issues. Our membership base includes individuals in the Tri-Cities, eastern Washington and around the Pacific Northwest. On behalf of our membership, thank you for considering our comments.

Procedural Comments

We appreciate DOE's openness to questions and commentary at the scoping meeting in Richland on October 10, 2012. However, there should have been meetings held outside the Tri-Cities as well or at least the opportunities for the public to participate remotely. Broad public involvement on issues affecting Hanford is of the utmost importance and future uses on-site affect the economy and environmental health of the region beyond the Tri-Cities. We request that future public meetings are scheduled in more locations and/or are accessible remotely via phone and internet.

Comments on the Assessment and 10 CFR 770 Proposal

Hanford Challenge supports the safe development of a small portion of Hanford land to promote the economic viability of the Tri-Cities as well as the development of clean, renewable energy. Any development should be limited to that which will not further contaminate the Hanford Site,

the Columbia River or the region, respect the bio-diversity of the Hanford Site, and honor tribal commitments. Any proposed transfers, leases, developments or other site usages should comply with existing laws, rules and regulations, and be conducted in a transparent manner.

We encourage the DOE to perform a robust assessment and environmental characterization of the land to be transferred. A Hanford land transfer of this magnitude should trigger the need for a full Environmental Impact Statement. This assessment should include a thorough investigation of existing radiological and chemical contamination within the assessment area in order to determine the safety of the land for transfer, the potential for contamination to spread to the proposed transfer areas, the potential for development and industry to cause additional contamination or current contamination to spread, and to create a baseline assessment of any preexisting contamination. This investigation should involve a thorough assessment of the history of dumping radioactive and chemical contamination in unmarked sites. Not all information about where contamination will be is in official records, or documented on maps. Additionally, DOE should closely investigate the impacts of industrial development on the uranium plume, other known contaminated areas in the 300-Area, as well as yet-to-be discovered burial sites and plumes.

The Environmental Assessment should also seek to ensure no threatened or endangered species will be adversely affected by the land transfer or subsequent development. The region is home to numerous threatened and endangered species (flora and fauna), and as a Natural Resource Trustee, the DOE must ensure any development will not further endanger those species or their habitats.

Any Assessment should also be inclusive and respectful of Tribal rights, including full consultation with affected Tribes.

The Tri-City Development Council (TRIDEC) has requested the land be transferred in fee simple with indemnity. Due to the potential for continuing mission needs, such as security and safety, this is likely not the appropriate realty action. Hanford Challenge suggests a detailed assessment of future mission needs as well as various alternatives to fee simple depending on the land use and in order to ensure the safety, accountability, and economic viability of the transaction. Hanford Challenge opposes the transfer of such lands with indemnity. We question why, on top of the gift of land to private entities for commercial development, the taxpayer should be burdened with a liability for future uses of the site, which could be significant.

Furthermore, should DOE determine land parcels are safe for development, Hanford Challenge encourages DOE to seek the authority to transfer land for appropriate uses in a manner that could contribute financially not only to the economic viability of the area, but also to Hanford cleanup, which must become a top priority, in accordance with 10 CFR 770.8.

A land transaction of this size and scope should also require a more specific proposal regarding intended uses and development. The current TRIDEC proposal for the initial 1,341 acres fails to

denote specific intended uses, duration of use, the economic development that would be furthered or sufficient information supporting the economic viability of the proposed development as required by 10 CFR 770.7. Currently, only the proposal submitted as an addendum to the initial TRIDEC proposal for 1,341 acres, which includes a 300 acre parcel of land for Energy Northwest's solar park is sufficiently detailed for DOE to make a proper assessment of safety and impacts of such a transfer and use. Hanford Challenge supports this initial step towards creating an Energy Park in the Tri-Cities should the DOE determine that the location, land disturbance and water usage are safe and will not lead to the spread of contamination.

Due to the broad nature of the initial TRIDEC request for 1,341 acres, it is difficult to comment specifically on how the Environmental Assessment should be constructed to assess the proposed uses. DOE's proposed use of a maximum impact scenario to assess a range of uses in the EA does not solve the problem of an insufficiently detailed 10 CFR 770 proposal, as there are many factors to consider that cannot be adequately predicted.

Overall, Hanford Challenge strongly encourages DOE to promote the research, development, and generation of clean, renewable energy which does not include operations that generate radioactive or chemical/toxic wastes.

We also request that DOE prohibit development of the land that could add or exacerbate contamination to the area. DOE should restrict land use that would require irrigation and groundwater use to prevent the mobilization of known and unknown contaminants in the soil, and to prevent impacts to the 300-Area uranium and/or other plumes. Furthermore, we oppose any development that could bring additional chemical or radionuclide contamination to the region. Although the 10 CFR 770 proposal does not specifically mention nuclear development, communications received from our recent FOIA request and the news media show this is a desired path of TRIDEC and the MidColumbia Energy Initiative.

Some examples of recent media commentary on the development of small modular reactors include:

- "A small nuclear reactor project has been proposed as a possible component of a clean energy park at Hanford as DOE releases unneeded and environmentally clean land for other uses."¹
- "Small modular nuclear reactors are one possibility for a proposed clean energy park on unneeded and uncontaminated Hanford land near Energy Northwest."²

¹ *Tri-City Herald*, "Adviser promotes modular reactors", April 5, 2012. <http://www.tri-cityherald.com/2012/04/05/1892773/adviser-promotes-modular-reactors.html#storylink=misearch#storylink=cpy>

² *Tri-City Herald*, "DOE steps toward small reactors," Jan. 21, 2012. <http://www.tri-cityherald.com/2012/01/21/1795470/doe-steps-toward-small-reactors.html#storylink=misearch#storylink=cpy>

- “It's [TRIDEC] particularly interested in manufacturers of high-tech products or those that would require some technical skills in the workforce, such as a plant manufacturing advanced batteries being developed at Pacific Northwest National Laboratory in Richland **or manufacturing small modular nuclear reactors.**”³

The development of small modular reactors is an unsound investment for the economic and environmental sustainability of the region. There is still no solution for the cost, safety, and waste problems of nuclear power.

According to an in-depth study by Dr. Arjun Makhijani and Michel Boyd of the Institute for Energy and Environmental Research, “Efficiency and most renewable technologies are already cheaper than new large reactors... Relying on assurances that SMRs will be cheap is contrary to the experience about economies of scale and is likely to waste time and money, while creating new safety and proliferation risks, as well as new waste disposal problems.”

<http://ieer.org/wp/wp-content/uploads/2010/09/small-modular-reactors2010.pdf>

In accordance with the intention and spirit of the Tri-Party agreement, Hanford is a cleanup site, not a production site with regard to radioactive or chemical materials. A nuclear power plant or plants would significantly add to the immediate and long-term waste burden of an already overburdened site and should, therefore, be off the table.

Hanford Challenge supports the use of land determined to be safe for low impact development such as solar and wind energy generation, warehousing and potentially business services to the extent that development limits the use of water, exposure to contamination and supports the potential for future mission needs.

Thank you for your consideration!

Sincerely,



Tom Carpenter, Executive Director

cc: Mr. Woody Russell, Hanford Site NEPA Compliance Officer

³ *Tri-City Herald*, “DOE study looks at industrial development at Hanford,” September 25, 2012. <http://www.tri-cityherald.com/2012/09/25/2113445/doe-study-looks-at-industrial.html#storylink=misearch#storylink=cpy>